

Atty. Docket No. 04646.P007XC

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jesse Salb, et al.

Application No. _____

Filed: March 2, 2004

For: FUNCTIONAL RADIOGRAPHIC IMAGING
METHODS AND AGENTS

Examiner: Not yet assigned

Art Unit: Not yet assigned

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicant hereby requests consideration of the enclosed Information Disclosure Statement pursuant to 37 C.F.R. §1.97(b). Attached are the PTO Forms 1449 and Forms 892 from the continuation-in-part application filed on March 15, 2001 (Serial No. 09/809,870) and from the continuation-in-part application filed on September 8, 1998 (Serial No. 09/149,734). These previous applications are relied upon for an earlier filing date under 35 U.S.C. §120.

Pursuant to C.F.R. §1.98(d), copies of the references are not being provided herewith since they were previously sent to the Patent and Trademark Office. Please consider these cited documents in the currently pending §1.53(b) continuation application filed on March 2, 2004.

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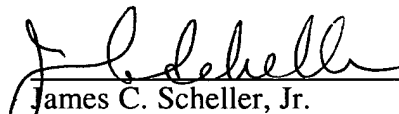
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Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 3/2, 2004


James C. Scheller, Jr.
Reg. No. 31,195

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300

Substitute for Form 1449A/PTO (Modified) (use as many sheets as necessary)	Attorney Docket No.: 04646.P007X	Application Number: 09/809,870
Page <u>1</u> of <u>1</u>	First Named Inventor: Jesse Salb, et al.	
	Filing Date: 3/15/2001	

OTHER ART - NO PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	Translation ²
		SIGEL, PETER and PETTE, DIRK. "Intracellular localization of glycogenolytic and glycolytic enzymes in white and red rabbit skeletal muscle; a gel film method for coupled enzyme reactions in histochemistry." <u>The Journal of Histochemistry and Cytochemistry</u> , vol. 17, no. 4; pages 225-236 (September 1968).	

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		BECH, LARS; DIEMER, NILS HENRIK; and GJEDDE, ALBERT. "Metabolic effect of topical application of metrizamide to rat brain cortex." <u>Acta Neurol Scand.</u> , vol. 72, pages 427-431 (June 1985).	
		GJEDDE, ALBERT. "The blood-brain barrier is impermeable to metrizamide." <u>Acta Neurol. Scandinav.</u> vol. 66, pages 392-395 (1982).	
		SICEL, PETER and PETTE, DIRK. "Intracellular localization of glycogen phosphorylase and glycolytic enzymes in white and red rabbit skeletal muscle; a gel film method for coupled enzyme reactions in histochemistry." <u>The Journal of Histochemistry and Cytochemistry</u>, vol. 17, no. 4 (September 1968), 1 page.	

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Page <u>2</u> of <u>2</u>	First Named Inventor: Jesse Salb	
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		PCT International Search Report for PCT Int'l Appln No. US01/08612, mailed 16 August 2002 (9 pages).	
		XU, YIMING et al. "Synthesis of Radioiodinated 1-Deoxy-Nojirimycin Derivatives: Novel Glucose Analogs," <u>Nuclear Medicine and Biology</u> , Vol. 26, No. 7, p. 833-839 (1999), Document No. XP-001037809.	
		MAGATA, YASUHIRO et al. "Development of a Novel Radioiodinated Glucose Derivative with Interaction to Hexokinase," <u>Journal of Labelled Compounds and Radiopharmaceuticals</u> , Vol. 31, No. 4, p. 317-328 (1992), Document No. XP-000675967.	
		LUTZ, T. et al. " ¹²³ I-Iodobenzoylglucosamines: Glucose Analogues for Heart Imaging," <u>Journal of Labelled Compounds and Radiopharmaceuticals</u> , Vol. 33, No. 4, p. 327-344 (1993), Document No. XP-008002378.	

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Notice of References Cited	Application/Control No. 09/809,870	Applicant(s)/Patent Under Reexamination SALB ET AL.	
	Examiner Lauren Q Wells	Art Unit 1617	Page 1 of 2

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-4243653	01-1981	Sovak et al.	424/5
	B	US-3701771	10-1972	Almen et al.	260/211
	C	US-4455292	06-1984	Bertoni	424/5
	D	US-3974386	10-1976	Mistretta et al.	250/402
	E	US-3854049	12-1974	Mistretta et al.	250/402
	F	US-4139605	02-1979	Felder et al.	424/5
	G	US-4250113	02-1981	Nordal et al.	564/163
	H	US-4160015	07-1979	Wiegert	424/5
	I	US-3702866	11-1972	Salvesen et al.	260/501.11
	J	US-4341756	07-1982	Sovak et al.	424/5
	K	US-4352788	10-1982	Felder et al.	424/5
	L	US-4348377	10-1982	Felder et al.	424/5
	M	US-4439613	03-1984	Sovak et al.	549/347

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	Examiner Lauren Q Wells	Art Unit 1617	Page 2 of 2

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	A	US-4766110	08-1988	Ryan et al.	514/19
	B	US-4021481	05-1977	Almen et al.	260/558
	C	US-2840602	06-1958	Larsen	260/518
	D	US-5609851	03-1997	Bennani et al.	424/9.454
	E	US-5525327	06-1996	Baker et al.	424/9.45
	F	US-4406878	09-1983	DeBoer	424/5
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Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	09/809,870
		Filing Date	March 15, 2001
		First Named Inventor	Jesse Saib
		Art Unit	2877
		Examiner Name	
Sheet 1 of 4	Attorney Docket Number	04646.P007X	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US- 4,474,747	10 - 02 - 1984	Dimo et al.	
		US- 4,887,604	12 - 19 - 1989	Shefer et al.	
		US- 5,043,152	08 - 27 - 1991	Schaefer et al.	
		US- 5,609,851	03 - 11 - 1997	Bennani et al.	
		US- 5,817,289	10 - 06 - 1998	Klaveness et al.	
		US- 6,071,491	06 - 06 - 2000	Epstein et al.	
		US- 5,650,135	07-22-1997	Contag et al.	
		US- 5,796,862	08-18-1998	Pawlicki et al.	
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Sheet 2 of 4	Attorney Docket Number	04646.P007X	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
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		ANDERSON et al., "What does positron emission tomography offer oncology?". <i>Eur. J. Cancer</i> 36:2028-2035 (2000).	
		BENDER et al., "Possible role of FDG-PET in the early prediction of therapy outcome in liver metastases of colorectal cancer", <i>Hybridoma</i> 18: 87-91 (1999).	
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		FISCHMAN, "The role of positron emission tomography in pharmacokinetic analysis", <i>Drug Metab. Rev.</i> 29: 923-956 (1997).	
		FOWLER et al., "PET and drug research and development". <i>J. Nucl. Med.</i> 40:1154-1163 (1999).	
		GERAN et al., "Protocols for screening chemical agents and natural products against animal tumors and other biological systems", <i>Cancer Chemother. Rep.</i> 3: 51-61 (1972).	
		GREEN et al., "Noninvasive methods for quantitating blood time-activity curves from mouse PET images obtained with fluorine-18-fluorodeoxyglucose", <i>J. Nucl. Med.</i> 39: 729-734 (1998).	

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Sheet	3	of	4												

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		HENDRIKSE et al., "Visualization of multidrug resistance in vivo". <i>Eur. J. Nucl. Med.</i> 26:283-293 (1999).	
		HIETALA, "Ligand-receptor interactions as studied by PET: implications for drug development", <i>Ann. Med.</i> 31: 438-443 (1999).	
		HOH et al., "PET in oncology: will it replace the other modalities?", <i>Semin. Nuc. Med.</i> 27:94-106 (1997).	
		HOEY & SMITH, in Sovak ed., "Handbook of Experimental Pharmacology: Radiocontrast Agents", 73: 22-125, Springer-Verlag, NEW YORK (1984).	
		JERUSALEM et al., "Whole-body positron emission tomography using 18F-fluorodeoxyglucose for posttreatment evaluation in Hodgkin's disease and non-Hodgkin's lymphoma has higher diagnostic and prognostic value than classical computed tomography scan imaging", <i>Blood</i> 94: 429-433 (1999).	
		KNUUTI et al. "PET as a cardiovascular and metabolic research tool", <i>Ann. Med.</i> 31: 450-456 (1999).	
		PRICE & JONES "Can Positron Emission Tomography (PET) be Used to Detect Subclinical Response to Cancer Therapy?", <i>Eur J Cancer</i> 31A: 1924-1927 (1995).	
		ROMER et al., "Positron emission tomography in non-Hodgkin's lymphoma: assessment of chemotherapy with fluorodeoxyglucose", <i>Blood</i> 91: 4464-4471 (1998).	
		SCHELLING et al., "Positron emission tomography using [(18)F]Fluorodeoxyglucose for monitoring primary chemotherapy in breast cancer". <i>J. Clin. Oncol.</i> 18:1689-1695 (2000).	
		SCHULTE et al., "Evaluation of neoadjuvant therapy response of osteogenic sarcoma using FDG PET". <i>J Nucl. Med.</i> 40: 1637-1643 (1999)	
		SMITH et al., "Positron emission tomography using [(18)F]-fluorodeoxy-D-glucose to predict the pathologic response of breast cancer to primary chemotherapy". <i>J. Clin. Oncol.</i> 18:1676-1688 (2000).	

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		SOVAK et al. "Contrast media: a journey almost sentimental". <i>Invest Radiol.</i> 29: Suppl 1:S4-14 (1994).	
		VALLBURG et al. "Drug development, radiolabelled drugs and PET", <i>Ann. Med.</i> 31: 432-437 (1999).	
		WAHL et al., "Metabolic monitoring of breast cancer chemohormonotherapy using positron emission tomography: initial evaluation", <i>J. Clin. Oncol.</i> 11: 2101-2111 (1993).	
		WEBER et al., "Reproducibility of metabolic measurements in malignant tumors using FDG PET", <i>J. Nucl. Med.</i> 11:1771-1777 (1999).	
		YOSHIOKA et al., "Influence of chemotherapy on FDG uptake by human cancer xenografts in nude mice", <i>J. Nucl. Med.</i> 38: 714-717 (1997).	
		ZHANG et al., "Bioluminescence for biological sensing in living mammals". <i>Adv. Exp. Med. Biol.</i> 471:775-784 (1999).	
		PCT International Search Report for PCT Appln No. PCT/US01/08485, mailed 10-24-01 (9 pages).	
		PCT International Search Report for PCT Appln No. PCT/US01/08663, mailed 10-24-01 (9 pages).	

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Notice of References Cited				Application/Control No.		Applicant(s)/Patent Under Reexamination			
				09/149,734		SALB, JESSE			
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*A copy of this reference is not being furnished with this Office action. (See Manual of Patent Examining Procedure, Section 707.05(a).)

**APS encompasses any electronic search i.e. text, image, and Commercial Databases.

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Notice of References Cited

Part of Paper No 10

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Form PTO-1449
(REV. 8-83)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

76958.P003

SERIAL NO.

09/149.734

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

APPLICANT

Jesse Salib

FILING DATE

9-8-98

GROUP

not yet assigned

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EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
AL	3701771	10/31/72	Almen et al.	260	211R	6/26/70
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AL	4250113	2/10/81	Nordal et al.	564	153	8/24/79
AL	4364921	12/21/82	Speck et al.	424	5	3/6/80

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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				APPLICANT Jesse Salb		FILING DATE 9-8-98	
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AL		4 4 5 5 2 9 2	6/19/84	Bertoni	424	5	4/5/82
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AL		5 1 4 1 7 3 9	8/25/92	Jung et al.	424	4	4/2/91
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AL		5 4 6 6 7 8 6	11/14/95	Buhr et al.	536	26.26	5/10/94
AL		5 6 1 0 2 8 9	3/11/97	Cook et al.	536	25.34	4/7/94
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HL	5 1 9 8 9 7 7	3/30/1993	Salb	364	413.01	11/27/1990

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DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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Armando Rodriguez

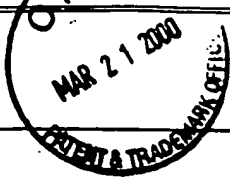
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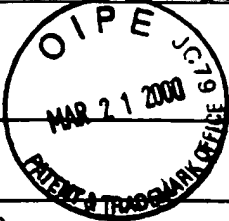
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Form PTO-1449 (Modified)		Atty Docket No.: 076958.P003		Serial No.: 09/149,734			
List of Patents and Publications Statement (Use several sheets if necessary)				Applicant: Jesse Salb Filing Date: September 8, 1998			
REFERENCE DESIGNATION				U.S. PATENT DOCUMENTS			
Examiner Initials		Document No.		Class	Sub- Class	Filing date if appropriate	
AK	AA	5,093,042	Counsell et al.	260	408	4/20/90	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

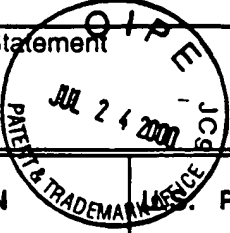
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Form PTO-1449 (Modified)		Atty Docket No.: 076958.P003		Serial No.: 09/149,734			
List of Patents and Publications Statement (Use several sheets if necessary)				Applicant: Jesse Salb. Filing Date: September 8, 1998			
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Form PTO-1449 (Modified)		Atty Docket No.: 076958.P003		Serial No.: 09/149,734			
List of Patents and Publications Statement (Use several sheets if necessary)				Applicant: Jesse Salb. Filing Date: September 8, 1998			
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Form PTO-1449 (Modified)		Docket No.: 04646.P003		Serial No.: 9/149,734	
List of Patents and Publications Statement (Use several sheets if necessary)				Applicant: Jesse Salb	
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Examiner Initials	Document No.	Class	Sub-Class	Filing date if appropriate		
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AL	AV	PCT International Search Report for PCT Int'l Appln No. PCT/US99/20298 mailed April 25, 2000 (7 pages).
	AW	
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